



## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2022-0297; Project Identifier MCAI-2021-01099-R; Amendment 39-22058; AD 2022-11-08]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Airbus Helicopters**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all Airbus Helicopters Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350D, EC130B4, and EC130T2 helicopters. This AD was prompted by the identification of certain parts needing maintenance actions, including life limits and maintenance tasks. This AD requires incorporating into maintenance records requirements (airworthiness limitations), as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** For EASA material incorporated by reference (IBR) in this final rule, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); Internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find the EASA material on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this

material at the FAA, call (817) 222-5110. It is also available in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2022-0297.

### **Examining the AD Docket**

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2022-0297; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the EASA AD, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7330; email [andrea.jimenez@faa.gov](mailto:andrea.jimenez@faa.gov).

### **SUPPLEMENTARY INFORMATION:**

#### **Background**

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2021-0194R1, dated October 8, 2021 (EASA AD 2021-0194R1), to correct an unsafe condition for all Airbus Helicopters, formerly Eurocopter, Eurocopter France, and Aerospatiale, Model AS 350 B, AS 350 BA, AS 350 BB, AS 350 B1, AS 350 B2, AS 350 B3, AS 350 D, EC 130 B4, and EC 130 T2 helicopters. Model AS 350 BB helicopters are not certificated by the FAA and are not included on the U.S. type certificate data sheet; this AD therefore does not include those helicopters in the applicability.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Helicopters Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350D, EC130B4, and EC130T2 helicopters. The NPRM published in the *Federal Register* on March 28, 2022 (87 FR 17206). The NPRM was prompted by the identification of certain parts needing maintenance actions, including life limits and maintenance tasks. The NPRM proposed to

require incorporating into maintenance records requirements (airworthiness limitations), as specified in EASA AD 2021-0194R1.

The FAA is issuing this AD to address the failure of certain parts, which could result in the loss of control of the helicopter. See EASA AD 2021-0194R1 for additional background information.

### **Discussion of Final Airworthiness Directive**

#### **Comments**

The FAA received no comments on the NPRM or on the determination of the costs.

#### **Conclusion**

These helicopters have been approved by EASA and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the European Union, EASA has notified the FAA about the unsafe condition described in its AD. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these helicopters. Except for minor editorial changes, this AD is adopted as proposed in the NPRM.

### **Related Service Information Under 14 CFR Part 51**

EASA AD 2021-0194R1 requires certain actions and associated thresholds and intervals, including life limits and maintenance tasks.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

### **ADs Mandating Airworthiness Limitations**

The FAA has previously mandated airworthiness limitations by mandating each airworthiness limitation task (e.g., inspections and replacements (life limits)) as an AD requirement or issuing ADs that require revising the airworthiness limitations section (ALS) of the existing maintenance manual or instructions for continued airworthiness to incorporate new or revised inspections and life limits. This AD, however, requires operators to incorporate into maintenance records required by 14 CFR 91.417(a)(2) or

135.439(a)(2), as applicable for your helicopter, the requirements (airworthiness limitations) specified in a civil aviation authority AD. The FAA does not intend this as a substantive change. For these ADs, the ALS requirements for operators are the same but are complied with differently. Requiring the incorporation of the new ALS requirements into the maintenance records, rather than requiring individual ALS tasks (e.g., repetitive inspections and replacements), requires operators to record AD compliance once after updating the maintenance records, rather than after every time the ALS task is completed.

In addition, paragraph (h) of this AD allows operators to incorporate later approved revisions of the ALS document as specified in the Ref. Publications section of EASA AD 2021-0194R1 without the need for an alternative method of compliance (AMOC).

#### **Differences Between this AD and the EASA AD**

Paragraph (1) of EASA AD 2021-0194R1 requires compliance with actions and associated thresholds and intervals, including life limits and maintenance tasks, from September 3, 2021, the effective date of EASA AD 2021-0194, dated August 20, 2021 (EASA AD 2021-0194). Paragraph (3) of EASA AD 2021-0194R1 requires incorporating the actions and associated thresholds and intervals, including life limits and maintenance tasks, into the approved maintenance program within 12 months after the effective date of EASA AD 2021-0194. This AD requires incorporating into maintenance records requirements (airworthiness limitations) within 30 days after the effective date of this AD.

#### **Costs of Compliance**

The FAA estimates that this AD affects 1,191 helicopters of U.S. Registry. Labor rates are estimated at \$85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this AD. Incorporating requirements (airworthiness limitations) into maintenance records requires about 2 work-hours for a cost of \$170 per helicopter and a cost of \$202,470 for the U.S. fleet.

#### **Authority for this Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator.

Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### **Regulatory Findings**

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### **The Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### **PART 39 - AIRWORTHINESS DIRECTIVES**

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

### **§ 39.13 [Amended]**

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**2022-11-08 Airbus Helicopters:** Amendment 39-22058; Docket No. FAA-2022-0297;  
Project Identifier MCAI-2021-01099-R.

**(a) Effective Date**

This airworthiness directive (AD) is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**(b) Affected ADs**

This AD affects AD 2011-22-05 R1, Amendment 39-17765 (79 FR 14169, March 13, 2014) (AD 2011-22-05 R1); and AD 2016-25-20, Amendment 39-18746 (81 FR 94954, December 27, 2016) (AD 2016-25-20).

**(c) Applicability**

This AD applies to all Airbus Helicopters Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350D, EC130B4, and EC130T2 helicopters, certificated in any category.

**(d) Subject**

Joint Aircraft Service Component (JASC) Codes: 2400, Electrical Power System; 2800, Aircraft Fuel System; 2900, Hydraulic Power System; 5200, Doors; 5300, Fuselage Structure; 6200, Main Rotor System; 6300, Main Rotor Drive System; 6400, Tail Rotor System; 6500, Tail Rotor Drive System; and 6700, Rotorcraft Flight Control.

**(e) Unsafe Condition**

This AD was prompted by the identification of certain parts needing maintenance actions, including life limits and maintenance tasks. The FAA is issuing this AD to address the failure of certain parts, which could result in the loss of control of the helicopter.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Required Actions**

Within 30 days after the effective date of this AD, incorporate into maintenance records required by 14 CFR 91.417(a)(2) or 135.439(a)(2), as applicable for your rotorcraft, the requirements (airworthiness limitations) specified in paragraph (1) of

European Union Aviation Safety Agency (EASA) AD 2021-0194R1, dated October 8, 2021 (EASA AD 2021-0194R1).

**(h) Provisions for Alternative Requirements (Airworthiness Limitations)**

After the action required by paragraph (g) of this AD has been done, no alternative requirements (airworthiness limitations) are allowed unless they are approved as specified in the provisions of the “Ref. Publications” section of EASA AD 2021-0194R1.

**(i) Terminating Action for ADs 2011-22-05 R1 and 2016-25-20**

(1) Accomplishing the actions required by this AD terminates all requirements of AD 2011-22-05 R1 for Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, and AS350D helicopters only.

(2) Accomplishing the actions required by this AD terminates all requirements of AD 2016-25-20 for Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350D, EC130B4, and EC130T2 helicopters only.

**(j) Special Flight Permit**

Special flight permits, as described in 14 CFR 21.197 and 21.199, are prohibited.

**(k) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (l) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

**(l) Related Information**

For more information about this AD, contact Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance &

Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7330; email [andrea.jimenez@faa.gov](mailto:andrea.jimenez@faa.gov).

**(m) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2021-0194R1, dated October 8, 2021.

(ii) [Reserved]

(3) For EASA AD 2021-0194R1, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); Internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find the EASA material on the EASA website at <https://ad.easa.europa.eu>.

(4) You may view this service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110. This material may be found in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2022-0297.

(5) You may view this material that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on May 17, 2022.

Gaetano A. Sciortino, Deputy Director for Strategic Initiatives,  
Compliance & Airworthiness Division,  
Aircraft Certification Service.

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